

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13498 of 2022

Arising Out of PS. Case No.-1052 Year-2019 Thana- NAGAR District- Vaishali

ASHOK SHARMA @ ASHOK KUMAR SHARMA Son of Late Rajendra
Sharma Resident of Village- Basanta, P.S.- Lalganj, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Nurul Hoda, Adv.

For the Opposite Party/s : Mr.Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-08-2022 Heard the parties.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 395, 397, 412, 201, 120(B) of the Indian Penal Code.

Allegedly, some miscreants entered into the Office of the informant and on the point of arms, they took the took away the pockets of gold after opening the lockers.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He is not named in the FIR and has been falsely implicated in this case. No incriminating article has been recovered from the conscious



physical possession of the petitioner. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. No T.I. Parade has been conducted and besides the confessional statement of the co-accused, there is no material against the petitioner. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail and submits that during investigation, own brother of the petitioner was apprehended by the police and on his confessional statement, name of petitioner transpired in this case. The co-accused has stated that from the looted gold, he gave 4 Kg gold to his brother Ashok Sharma (petitioner).

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly dismissed.

However, petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order, in accordance with law.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

